

201 KAR 36:060. Qualifying experience under supervision.

RELATES TO: KRS 335.500(4), 335.505(4), 335.525(1)(e)

STATUTORY AUTHORITY: KRS 335.515(1), (3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 335.505(4) allows a student intern or trainee in professional counseling to use the title of "professional counselor intern" or "student in training" if the activities are performed under the supervision or direction of an approved supervisor and the activities are a part of a supervised program of study. KRS 335.525(1)(e) provides that an applicant for a professional clinical counselor license shall have acquired 4,000 hours of experience in the practice of counseling under approved supervision. KRS 335.515(3) requires the board to promulgate administrative regulations to implement KRS 335.500 to 335.599, relating to licensed professional counselors. This administrative regulation establishes the requirements relating to supervision and the requirements for experience under supervision.

Section 1. Requirements for the Practice of Professional Counseling. (1) The practice of professional counseling shall be based on knowledge of areas including interpersonal, cognitive, cognitive behavioral, psychodynamics, human relations, crisis intervention, psychopathology, group dynamics, and effective methods and strategies necessary to help the client achieve mental, vocational, emotional, physical, social, moral, and spiritual development and adjustment throughout the client's life span.

(2) In providing counseling services, a licensee shall possess and utilize skills in the following areas:

- (a) The helping relationship, including counseling theory and practice;
- (b) Human growth and development;
- (c) Lifestyle and career development;
- (d) Group dynamics, process, counseling, and consulting;
- (e) Assessment, appraisal, and testing of individuals;
- (f) Social and cultural foundation, including multicultural issues;
- (g) Principles of etiology, diagnosis, treatment planning, and prevention of mental and emotional disorders and dysfunctional behavior;
- (h) Research and evaluation; and
- (i) Professional orientation and ethics.

Section 2. Supervision. (1) A supervisor of record shall be licensed by the board as a licensed professional clinical counselor supervisor, except as established in this section.

(2) An LPCA Supervision Agreement that has been approved prior to the effective date of this administrative regulation may continue to be in effect until termination.

(3)(a) An applicant may submit a hardship request for the ability to utilize one (1) of the licensees listed in paragraph (b) of this subsection if the nature of the circumstances shows that the ability to obtain supervision from a licensed professional clinical counselor is prohibited by the difficulty to do so. Circumstances showing difficulty in obtaining supervision may include engaging in the practice of counseling in a rural area where there is not a licensed professional clinical counselor within a fifty (50) mile radius, or active-duty military deployment. The submission for a hardship exemption shall be accompanied by the LPCA Supervision Agreement.

(b) An applicant who demonstrates a hardship may request a supervisor who is properly credentialed under Kentucky law as a member of one (1) of the following professions:

1. A licensed professional clinical counselor that does not qualify as a supervisor under 201 KAR 36:065;

2. A licensed psychologist, licensed psychological practitioner, or a certified psychologist with autonomous functioning;
3. A licensed clinical social worker; or
4. A licensed marriage and family therapist.

Section 3. LPCA Supervision Agreement. (1) A supervisee shall enter into a written supervision agreement with an approved supervisor. The supervision agreement shall contain:

- (a) The name and address of the supervisee;
 - (b) The name, address, license or certification number, and number of years of practice of the supervisor of record;
 - (c) The name, address, license or certification number, and number of years of practice of other supervisors;
 - (d) The agency, institution, or organization where the experience will be received;
 - (e) A detailed description of the nature of the practice including the type of:
 1. Clients that will be seen;
 2. Therapies and treatment modalities that will be used including the prospective length of treatment; and
 3. Problems that will be treated;
 - (f) The nature, duration, and frequency of the supervision, including the:
 1. Number of hours of supervision per week;
 2. Number of hours of individual supervision;
 3. Methodology for transmission of case information; and
 4. Number of hours of face-to-face supervision that meet the requirements of KRS 335.525(1)(e);
 - (g) A statement that supervision:
 1. Shall occur a minimum of:
 - a. Three (3) times per month and one (1) hour per meeting for a full time practice that consists of twenty-five (25) clock hours or greater per week; or
 - b. One (1) hour for every thirty (30) hours of client contact for a part time practice that consists of less than twenty-five (25) clock hours per week; and
 2. May include interactive, simultaneous video and audio media with a minimum of one (1) direct meeting per month that is in person where the supervisor and supervisee are physically present in the same room;
 - (h) The conditions or procedures for termination of the supervision;
 - (i) A statement that:
 1. The supervisor of record understands that the supervisor shall be held accountable to the board for the care given to the supervisee's clients; and
 2. The supervisor of record meets the criteria established in Section 2 of this administrative regulation; and
 - (j) The signatures of both the supervisor and the supervisee. If a supervisee changes his or her supervisor of record as identified in the supervision agreement, the supervisee shall submit a new supervision agreement, which sets forth the information required by this subsection and identifies the new supervisor of record.
- (2) The supervision agreement shall be approved by the board before the licensed professional counselor associate begins the practice of professional counseling.

Section 4. Experience Under Supervision. (1) Experience under supervision shall consist of:

- (a) Direct responsibility for a specific individual or group of clients; and
- (b) Broad exposure and opportunity for skill enhancement with a variety of developmental

issues, dysfunctions, diagnoses, acuity levels, and population groups.

(2) The board may, for extenuating circumstances beyond the supervisor's or supervisee's control, grant a limited waiver from the requirement of one (1) monthly direct in person meeting to satisfy the face-to-face supervision requirements upon written request by the supervisor and supervisee. Extenuating circumstances include situations such as death or serious illness of the board-approved supervisor, a leave of absence by the supervisor, or the termination of the supervisor's employment.

(3) The board may approve an applicant's supervision hours obtained in another jurisdiction if:

(a) The supervision hours were approved by the jurisdiction's regulatory board who issued a license to be a licensed professional clinical counselor or its equivalent;

(b) The regulatory board for the jurisdiction who issued a license to be a licensed professional clinical counselor or its equivalent shall have approved the supervisor to supervise the applicant prior to the applicant obtaining supervision hours;

(c) The regulatory board for the jurisdiction where the supervision hours were obtained shall certify that the supervision hours were approved and the supervisor of the applicant was board approved; and

(d) The supervision hours shall be obtained after the applicant received a master's, specialist, or doctoral degree in counseling or a related field used to satisfy KRS 335.025(1)(c).

Section 5. Supervision Requirements. (1) Supervision shall relate specifically to the qualifying experience and shall focus on:

(a) The appropriate diagnosis of a client problem leading to proficiency in applying professionally recognized clinical nomenclature;

(b) The development and modification of the treatment plan;

(c) The development of treatment skills suitable to each phase of the therapeutic process;

(d) Ethical problems in the practice of professional counseling; and

(e) The development and use of the professional self in the therapeutic process.

(2) A supervisee shall not continue to practice professional counseling if:

(a) The conditions for supervision set forth in the LPCA Supervision Agreement required by Section 3 of this administrative regulation are not followed; or

(b) The supervision agreement is terminated for any reason other than the extenuating circumstances that allow temporary supervision in Section 7 of this administrative regulation.

(3) If the terms of the supervision agreement are not being met by the supervisee, the supervisor shall immediately notify this board in writing.

Section 6. Evaluation by Board. The period of supervised experience required by KRS 335.525(1)(e) shall be evaluated by the board according to one (1) of the following methods:

(1) A candidate who seeks to obtain experience in the Commonwealth of Kentucky shall submit the supervision agreement required by Section 3 of this administrative regulation for the experience prior to beginning to accrue the required experience; or

(2) A candidate who obtained the experience in another state shall submit documentation of the hours of supervision with the Application for Licensed Professional Clinical Counselor required by 201 KAR 36:070. The documentation shall also:

(a) Provide information that verifies that the requirements for the license or certificate of the supervisor from the state in which the license or certificate was held are substantially equivalent to the requirements for that license or certificate in Kentucky;

(b) Provide information that verifies that the supervisor is in good standing with the certifying or licensing state; and

(c) Demonstrate that the practice and supervision requirements in the state from which the candidate is applying are substantially equivalent to the requirements established under this administrative regulation.

Section 7. Temporary Supervision. (1) In extenuating circumstances, if a licensed professional counselor associate is without supervision, the associate may continue working up to sixty (60) calendar days under the temporary supervision of a qualified mental health provider as defined by KRS 202A.011(12) while an appropriate board-approved supervisor is sought and a new supervision agreement is submitted to the board. Extenuating circumstances include situations such as death or serious illness of the board-approved supervisor, a leave of absence by the supervisor, or the termination of the supervisor's employment.

(2)(a) Within ten (10) days of the occurrence, the supervisee shall notify the board of the extenuating circumstances that have caused the supervisee to require temporary supervision.

(b) The supervisee shall submit, in writing, a plan for resolution of the situation within thirty (30) calendar days of the change in status of board-approved supervision.

(c) The written plan shall include:

1. The name of the temporary supervisor;
2. Verification of the credential held by the temporary supervisor;
3. An email address and a postal address for the temporary supervisor and the supervisee; and
4. A telephone number for the temporary supervisor.

(d) The temporary supervision arrangement shall expire after sixty (60) days of the establishment of the temporary supervision arrangement with a qualified mental health provider. The temporary supervision arrangement shall not be extended beyond the sixty (60) days.

Section 8. Incorporation by Reference.(1) The "LPCA Supervision Agreement", September, 2016, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Licensed Professional Counselors, 911 Leawood Drive, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (26 Ky.R. 280; Am. 729; eff. 10-20-1999; 29 Ky.R. 2514; 2871; eff. 6-16-2003; 36 Ky.R. 858; 2035-A; eff. 5-7-2010; 37 Ky.R. 780; eff. 12-15-2010; 38 Ky.R. 1018; 1558; eff. 3-21-2012; 41 Ky.R. 302; 1309; eff. 12-17-2014; 43 Ky.R. 783, 1402, 1540; eff. 3-31-2017; 44 Ky.R. 792, 1223; eff. 1-5-2018.)